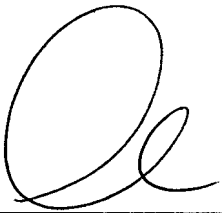
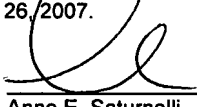




EFW

AMENDMENT TRANSMITTAL LETTER				Docket Number EMS-07301		
Application Number 10/802,489	Filing Date March 16, 2004	Examiner Nguyen, Than Vinh		Group Art Unit 2187		
Invention Title CONTINUOUS DATA BACKUP USING DISTRIBUTED JOURNALING						
TO THE COMMISSIONER FOR PATENTS						
Transmitted herewith is an amendment in the above-identified application, including:						
(X) Amendment and Response to Office Action						
(X) Amendment Transmittal (in duplicate)						
(X) Return Postcard						
CLAIMS AS AMENDED						
	(1)		(2)		(3)	
	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT NUMBER EXTRA	RATE	FEE
TOTAL CLAIMS	50		52	0	x \$ 50	\$ 0
INDEPENDENT CLAIMS	17	Minus	17	0	x \$200	\$ 0
MULTIPLE DEPENDENT CLAIM ADDED					\$360	\$
					TOTAL	\$ 0
If applicant has small entity status under 37 CFR 1.9 and 1.27, then divide total fee by 2, and enter amount here.				SMALL ENTITY TOTAL		\$
* If the entry in column 1 is less than the entry in column 2, write "0" in column 3. ** If the highest number previously paid for IN THIS SPACE is less than 20, enter "20." *** If the highest number previously paid for IN THIS SPACE is less than 3, enter "3." The "highest number previously paid for" (total or independent) is the highest number found in the appropriate box in column 1.						
() Please charge Deposit Account Number 050889 in the amount of \$_____. A duplicate copy of this sheet is enclosed.						
() A check in the amount of \$_____ to cover the filing fee is enclosed.						
(X) Please credit any overpayment and/or charge any additional filing fees required under 37 CFR §§ 1.16 and 1.17 to our Deposit Account Number 503596 .						
 Anne E. Saturnelli, Reg. No. 41,290 July 26, 2007 Date				<div style="border: 1px solid black; padding: 5px;"><p>I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1460, Alexandria, VA 22313-1450, on July 26, 2007.</p> Anne E. Saturnelli</div>		



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Oliveira et al. :
Serial No.: 10/802,489 : Examiner: Nguyen, Than Vinh
Filed: March 16, 2004 : Art Unit: 2187
For: CONTINUOUS DATA BACKUP : Atty. Docket: EMS-07301
USING DISTRIBUTED :
JOURNALING :

Certificate of Mailing

I hereby certify that the foregoing document is being deposited with the United States Postal Service, postage prepaid, first class mail, in an envelope addressed to Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on July 26, 2007.


Name: Anne E. Saturnelli

AMENDMENT AND RESPONSE TO OFFICE ACTION

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This paper is being provided in response to the Office Action dated May 8, 2007, for the above-captioned U.S. patent application.

Amendments to the Claims are reflected in the listing of claims which begin on **Page 3** of this paper.

Remarks/Arguments begin on **Page 25** of this paper.

It is not believed that extensions of time or fees for net addition of claims are required, beyond those which may otherwise be provided for in documents accompanying this paper.

However, in the event that additional extensions of time are necessary, then such extensions of time are hereby petitioned under 37 C.F.R. § 1.136(a), and any fees required for consideration of this paper (including fees for net addition of claims) are authorized to be charged in two originally-executed copies of an Amendment Transmittal Letter filed herewith.